

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
Charlottesville Division**

KELLY JAMES CLARK, JR.,)
)
Plaintiff,)
)
v.). Civil Action No. 3:20--cv-00017 (TTC)
)
KEVIN CARL, *et al.*,)
)
Defendants.)

**PLAINTIFF KELLY JAMES CLARK, JR.'S
AMENDED RULE 26(a)(3) PRETRIAL DISCLOSURES: WITNESS LIST**

Plaintiff Kelly James Clark, Jr. (“Plaintiff” or “Mr. Clark”), through counsel, submits these pretrial disclosures pursuant to Fed. R. Civ. P. 26(a)(3) and this Court’s August 5, 2024 Order (Dkt. 163), as follows:

I. IDENTIFICATION OF WITNESSES

Plaintiff plans to call the following witnesses:

1. Plaintiff Kelly James Clark, Jr.;
c/o Joshua Erlich, Esq. (VSB No. 81298)
Katherine Herrmann, Esq. (VSB No. 83203)
1500 Wilson Blvd. Suite 700
Arlington, Virginia 22209
(703) 791-9087

Plaintiff’s counsel anticipates Mr. Clark will speak to his own personal experience and recollection of the events of December 30, 2016. Specifically, Mr. Clark will testify that, while hospitalized for a gunshot wound at the University of Virginia Hospital on that date, Ofc. Carl and Officer Miller took Mr. Clark to a separate room wherein they tackled Mr. Clark and intentionally dislodged the chest tube from his body, causing him significant pain and physical injury.

2. Defendant Kevin Carl;
c/o William W. Tunner, Esq.

ThomsponMcMullan, P.C.
100 Shockoe Slip, 3rd Floor
Richmond, Virginia 23219
(804) 698-6205

3. Defendant Colby Lee Miller;
c/o William W. Tunner, Esq.
ThomsponMcMullan, P.C.
100 Shockoe Slip, 3rd Floor
Richmond, Virginia 23219
(804) 698-6205
4. Any witnesses needed for impeachment or rebuttal.

Plaintiff reserves the right to amend his witness list to add any individual identified by Defendants on or after the date of this filing.

DATED: August 6, 2024

BY: _____ /s/
Joshua Erlich (VA Bar No. 81298)
Katherine Herrmann (VA Bar No. 83203)
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CERTIFICATE OF SERVICE

I hereby certify that, on August 6, 2024, I served the foregoing amended witness list via CM/ECF upon the following:

William W. Tunner, Esq. (VSB No. 38358)
Rachel W. Adams, Esq. (VSB No. 92605)
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Counsel for Defendants

/s/

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Counsel for Plaintiff